



California Regional Water Quality Control Board

Los Angeles Region



Terry Tamminen
Secretary for
Environmental
Protection

54 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Arnold Schwarzenegger
Governor

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Notice of Public Meeting/Hearing

Thursday, April 1, 2004
9:00 a.m.

472nd Regular Board Meeting

Meeting Location:
**The Metropolitan Water District of Southern California
(Board Room)
700 North Alameda Street
Los Angeles, California**

***Items removed from the consent calendar will be heard at the discretion of the Chair.
Item 11, Thousand Oaks Remand will be heard in the morning session.**

Agenda

Submittal of Written Material for Regional Board Consideration

Pursuant to a Supplemental Peremptory Writ of Mandate issued by the Superior Court for the County of Los Angeles, no additional written submittals will be accepted. Reconsideration of the penalty will be based on the existing administrative record and oral argument of the Regional Board staff and representatives of the City of Thousand Oaks.

To ensure that the Regional Board Members are given the opportunity to fully study and consider written material, it is necessary that 12 copies of any such material be provided to the Executive Officer not later than five (5) working days before the meeting, unless otherwise specified for a particular agenda item in the next paragraph. This will allow distribution of the material to the Board Members and appropriate staff in advance of the meeting.

The parties to and persons interested in Item 9.1, and 9.2 were previously notified to submit any written comments to the Executive Officer not later than February 18, 2004; All parties to and persons interested in the other items must submit any written comments or exhibits to the Executive Officer not later than March 26, 2004. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence. (Title 23, CCR, Section 648.4) The Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Regional Board may refuse to admit it.

California Environmental Protection Agency



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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

If you are reading a statement at the Board meeting, please provide the Executive Assistant with a copy at the meeting. The Board will endeavor to consider all matters listed on this agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Parties will be notified in writing of the rescheduling of their item. Please contact the Regional Board staff to find out about rescheduled items. Material presented to the Board as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, etc. All Board files pertaining to the items on this Agenda are hereby made a part of the record submitted to the Regional Board by staff for its consideration prior to action on the related items.

The Board will recess for a 15-minute break at approximately 10:45 a.m., and recess for lunch at approximately 12:30 p.m. The meeting will reconvene at approximately 1:30 p.m.

Pledge of Allegiance.

1. Roll Call.
[Ronji Harris, 213/576-6612].....Board Members Present
2. Order of Agenda.....Board Direction
(The agenda items are numbered for identification purposes only and will not necessarily be considered in this order).
3. Approval of Minutes for March 4, 2004 Regular Meeting.
[Jenny Newman, 576-6808]..... Board Action
4. Board Member Communications.
[Robert Sams, 576-6797].....Information/Discussion
 - 4.1 Ex Parte Disclosure. *(Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.40).*
 - 4.2 Board Member Communication. *(The Board Members may discuss communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.)*
5. Executive Officer's Report.....Information/Discussion
6. Public Forum. *(Any person may address the Board regarding a ny matter within the Board's Jurisdiction. This need not be related to any item on the agenda. Remarks will be limited to three (3) minutes.)*
7. Uncontested Items Calendar.....Board Action
(Items marked with an asterisk are expected to be routine and noncontroversial. The Board will be asked to approve these items at one time without discussion. If any interested party, Board Member, or staff person requests that an item be removed from the uncontested calendar, it will be taken up in the regular agenda order.)



WASTE DISCHARGE REQUIREMENTS

8. **Consideration of NPDES Requirements - Renewal, Rescission** *(After a public hearing, the Board will be asked to adopt, or rescind the permits for the following facilities.)*

Renewal

- *8.1 California Sulphur Company, Wilmington
[Rosario Aston, 576-6653].....CA0000787

Rescission

- *8.2 Tosco Corporation, Oxnard
[Cassandra Owens, 576-6750].....CA0064360
- *8.3 Tosco Corporation, Ventura
[Cassandra Owens, 576-6750].....CA0064343
- *8.4 City of Long Beach (Southeast Resource Recovery Facility), Long Beach
[Rosario Aston, 576-6653].....CA0059544

9. **Consideration of Non-NPDES Requirements - New** *(After a public hearing, the Board will be asked to adopt or rescind the requirements for the following facilities.)*

New

- 9.1 American Remedial Technologies, Lynwood
[Enrique Casas, 620-2299].....95-029
- 9.2 Thermal Remediation Solutions, Azusa
[Douglas Cross, 620-2246].....94-080
- *9.3 The United States Department of the Navy (San Clemente Island Wastewater
Treatment Plant), San Clemente Island [Jau Ren Chen, 576-6656].....04-035

10. **Consideration of General NPDES Requirements - Renewal** *(The Board will be asked to adopt or rescind the requirements for the following facility.)*

Renewal

- 10.1 General NPDES Permit for Discharges on Nonprocess Wastewater to Surface waters
(Coastal Watersheds of Los Angeles and Ventura Counties).
[James Tang, 576-6696].....CAG994003

CITY OF THOUSAND OAKS PENALTY REMAND

11. Administrative Civil Liability (ACL) against the City of Thousand Oaks. *(The Board will reconsider the penalty assessment portion of its Decision on ACL Complaint No. 98-024 against the City of Thousand Oaks for a sewer line rupture on February 3, 1998, as required by the judgment, writ of mandate, and supplemental peremptory writ of mandate issued in the case of City of Thousand Oaks v. California Regional Water Quality control Board and State Water Resources Control Board, Los Angeles County Superior Court case number BS 067 393. Following its reconsideration of the administrative record in this matter and oral argument by the Regional Board staff and representatives of the City of Thousand Oaks, the Board will take action to set*



aside the existing penalty and to assess a new penalty against the City of Thousand Oaks on the ACL Complaint.) [Russ Colby, 620-6373].....Board Action

OTHER BUSINESS

- *12. Consideration of a tentative Resolution for Petroleum Underground Storage Tank Fund Emergency, Abandoned, and Recalcitrant (EAR) Account Priority List for Fiscal Year 2004-2005. *(The Board will be asked to adopt the tentative Resolution.)* [Harry Nguyen, 576-6658].....Board Action

INFORMATION ITEMS *(Please note that these items are for information only. There will be no voting or formal action taken by the Board on these items.)*

13. Enforcement Update *(Staff will provide an update on current enforcement activities.)*
[Hugh Marley, 620-6375].....Information/Discussion
14. Groundwater Update *(Staff will brief the members of the Board on matters relating to groundwater contamination in the region. Staff will present information on the nature and scope of groundwater contamination in the region, and efforts underway to address that contamination)*
[Arthur Heath, 576-6725].....Information/Discussion
15. Update on research underway by the Southern California Coastal Water Research Project relating to TMDLs, Bight '98, and other related issues. [Dennis Dickerson, 576-6605]..Information/Discussion
16. Closed Session.....By Board
The Board will conduct a closed session to consider the following litigation matters. (Authority: Government Code Section 11126(e))
- (a) *City of Los Angeles, City of Burbank v. Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court, Case Nos. BS 060957 and BS 060960;*
- (b) *Trash TMDL Lawsuit against Los Angeles Regional Water Quality Control Board; Cities of Arcadia, et. al San Diego Superior Court Case No. GIC 803631;*
- (c) *USEPA and Los Angeles Regional Water Quality Control Board v. City of Los Angeles, U.S. District Court for the Central District of California, Case No. 01-00191 FMC (Mcx);*
- (d) *City of Thousand Oaks v. Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court Case No. BS 067393;*
- (e) *Litigation filed in Los Angeles Superior Court, In Re Municipal Storm Water Permit for Los Angeles County Order No. 01-182 [NPDES No. CAS004001];*
- (f) *Petition to SWRCB No. A-1591 filed by the City of Santa Paula for Failure to Modify Waste Discharge Requirements Order No. 97-041 [NPDES No. CA0054224] for Santa Paula Waste Treatment Plant;*



- (g) *Petition to SWRCB No. A-1484 for Harris Water Conditioning, Inc. Order No. R4-2002-0093 (NPDES Permit No. CA0060267);*
 - (h) *Petitions to SWRCB No. A-1619 & 1619(a) filed by Browning Ferris Industries of California and North Valley Coalition of Concerned Citizens; Order No. R4-2003-0155 for Sunshine Canyon Landfill Waste Discharge Requirements; and*
 - (i) *Petition to SWRCB No. A-1613 filed by U.S. Army Corps of Engineers; Water Quality Certification for Hansen Dam, Order No. R4-03-160.*
 - (j) *In a matter under investigation by the Regional Board, pursuant to Government Code Section 11126(e)(2)(c), and based on existing facts and circumstances, the Regional Board is deciding whether to initiate litigation.*
17. Adjournment of Current Meeting. The next Regular Meeting is tentatively scheduled for May 6, 2004, at the City of Simi Valley, Council Chambers 2929 Tapo Canyon Road, Simi Valley, CA.

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A copy of the complete agenda package is available for examination at the Regional Board Office during regular working hours (8:00 a.m. to 5:00 p.m.). Questions about specific items on the agenda should be directed to the staff person whose name is listed with the item.

Pursuant to Water Code Section 13320, any aggrieved person may file a petition to seek review by the State Water Resources Control Board (SWRCB) of most actions taken by the Regional Board. Such petition must be filed within 30 days of the action. Petitions must be sent to SWRCB, P.O. Box 100, 1001 'I' St., Sacramento, CA 95812.

Our web site address is www.swrcb.ca.gov/rwqcb4. The site can also be accessed through the State Water Resources Control Board's web site at www.swrcb.ca.gov, then clicking on "Regional Boards". Information currently available includes the Regional Board's meeting schedule, a list of the Regional Board members, a list of staff and phone numbers arranged by their work unit, a copy of the Underground Storage Tank database and information relevant to the UST program, linkage to the Santa Monica Bay Commission's home page, and links to other governmental agencies. If you need further information, please contact Jack Price at 213/576-6669.

Individuals requiring special accommodations or language needs should contact Sonja Gettel at (213) 576-6801 or sgettel@rb4.swrcb.ca.gov at least ten working days prior to the meeting. TTY/TDD/Speech -to-Speech users may dial 7-1-1 for the California Relay Service.

A listing of pending water quality certification applications currently on public notice pursuant to Section 401 of the Federal Clean Water Act may be obtained by calling Valerie Carrillo at 213/576-6759.

